



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

SEP 27 2018

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ken Blackford, Senior Operations Manager
Flint Group North America Corporation
3025 West Old Road 30
Warsaw, Indiana 46580

Re: Finding of Violation
Flint Group North America Corporation
Warsaw, Indiana

Dear Mr. Blackford:

The U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to Flint Group North America Corporation (Flint Group or you) under Section 113(a)(3) of the Clean Air Act (the CAA), 42 U.S.C. § 7413(a)(3). We find that you have violated Section 112 of the CAA, at 42 U.S.C. § 7412, at your Warsaw, Indiana facility.

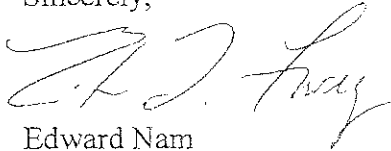
Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the FOV prior to the conference date.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contacts in this matter are Luke Hullinger and Jason Schenandoah. You may call them at (312) 886-3011 and (312) 886-9506, respectively, to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Nam", written in a cursive style.

Edward Nam
Director
Air and Radiation Division

cc: Phil Perry, Chief, Air Compliance Branch, PPERRY@idem.IN.gov

1. Pursuant to Section 112(b) of the CAA, 42 U.S.C. § 7412(b), EPA designates Hazardous Air Pollutants (HAPs) that present or may present a threat of adverse effects to human health or the environment.
2. Section 112(a) of the CAA, 42 U.S.C. § 7412(a), defines “major source” as any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year (tpy) or more of any HAP or 25 tpy or more of any combination of HAPs.
3. Sections 112(c) and (d) of the CAA, 42 U.S.C. §§ 7412(c)-(d), require EPA to publish a list of categories of sources that EPA finds present a threat of adverse effects to human health or the environment due to emissions of HAPs, and to promulgate emission standards for each source category. These standards are known as “national emission standards for hazardous air pollutants” or “NESHAP.” EPA codifies these requirements at 40 C.F.R. Parts 61 and 63.
4. The NESHAP in 40 C.F.R. Part 63 are national technology-based performance standards for HAP sources in each category that become effective on a specified date. The purpose of these standards is to ensure that all sources achieve the maximum degree of reduction in emissions of HAPs that EPA determines is achievable for each source category.

13. NESHAP HHHHH, at 40 C.F.R. § 63.8105(g), states “in organic HAP service means that a piece of equipment either contains or contacts a fluid (liquid or gas) that is at least 5 percent by weight of total organic HAP as determined according to the provisions of § 63.180(d). The provisions of § 63.180(d) also specify how to determine that a piece of equipment is not in organic HAP service.”
14. NESHAP HHHHH, at 40 C.F.R. § 63.8100, states that this subpart can be implemented and enforced by the U.S. Environmental Protection Agency.

The NESHAP for Gasoline Distribution Facilities, Subpart R

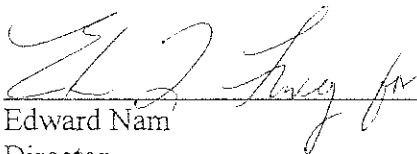
15. As specified at Table 3 of NESHAP HHHHH, the provisions of the National Emission Standards for Gasoline Distribution Facilities at 40 C.F.R. §§ 63.424 (a) through (d) and 40 C.F.R. §§ 63.428(e), (f), and (h)(4), except as specified in 40 C.F.R. § 63.8015(b), apply to equipment in organic HAP service at miscellaneous coating manufacturing operations.¹
16. NESHAP R, at 40 C.F.R. § 63.421 defines equipment as “each valve, pump, pressure relief device, sampling connection system, open-ended valve or line, and flange or other connector in the gasoline liquid transfer and vapor collection systems....”
17. NESHAP R, at 40 C.F.R. § 63.424(a), states “[e]ach owner or operator of a bulk gasoline terminal or pipeline breakout station subject to the provisions of this subpart shall perform a monthly leak inspection of all equipment in gasoline service. For this inspection, detection methods incorporating sight, sound, and smell are acceptable. Each piece of equipment shall be inspected during the loading of a gasoline cargo tank.”
 - a. NESHAP HHHHH, at 40 C.F.R. § 63.8015(b), provides “[w]hen § 63.424(a) refers to ‘a bulk gasoline terminal or pipeline breakout station subject to the provisions of this subpart,’ the phrase ‘a miscellaneous coating manufacturing affected source subject to 40 C.F.R. part 63, subpart HHHHH’ shall apply for the purposes of this subpart.”
 - b. NESHAP HHHHH, at 40 C.F.R. § 63.8015(b), provides “[w]hen § 63.424(a) refers to ‘equipment in gasoline service,’ the phrase ‘equipment in organic HAP service’ shall apply for the purposes of this subpart.”
 - c. NESHAP HHHHH, at 40 C.F.R. § 63.8015(b), provides “[w]hen § 63.424(a) specifies that ‘each piece of equipment shall be inspected during loading of a gasoline cargo tank,’ the phrase ‘each piece of equipment must be inspected when it is operating in organic HAP service’ shall apply for the purposes of this subpart.”

¹ Alternatively, affected sources under NESHAP HHHHH may “comply with the requirements of subpart TT of this part; or [c]omply with the requirements of subpart UU of this part, except as specified in § 63.8015(c) and (d).”

24. Flint Group produces a material such as paint, ink, or adhesive that is intended to be applied to a substrate and consists of a mixture of resins, pigments, solvents, and/or other additives, where the material is produced by a manufacturing operation where materials are blended, mixed, diluted, or otherwise formulated and is, therefore, subject to NESHAP HHHHH.
25. As provided in its Permit, Flint Group operates existing sources under NESHAP HHHHH.
26. On April 9, 2018 and April 10, 2018, EPA conducted an unannounced CAA inspection of the Facility for compliance with NESHAP HHHHH and the applicable equipment leaks or leak repair and detection (LDAR) NESHAP (the April Inspection).
27. During the April Inspection, EPA requested records of any pressure relief device repairs. Flint Group personnel did not provide any records and stated that they only check the pressure relief devices once a quarter or every six months.
28. During the April Inspection, EPA requested any documentation that showed which components were monitored at the Facility. Flint Group personnel stated that they did not have any documents on site that showed which components were monitored at the Facility.
29. During the April Inspection, EPA reviewed copies of Flint Group's semi-annual compliance reports and, after the inspection, received copies of these reports by email, for December 1, 2013 through November 30, 2017. Each semi-annual compliance report contains an attached LDAR inspection and leak detection logbook (Logbook Attachment(s)).
30. None of the Logbook Attachments from December 1, 2013 through November 30, 2017 contains a list, summary description, or diagram(s) showing the location of all equipment in organic HAP service at the Facility.
31. Every Logbook Attachment from December 1, 2013 through November 30, 2017 reported zero leaks from equipment at the Facility.
32. During the April Inspection, Flint Group personnel stated that leaks have been found during times other than when monthly monitoring was conducted, but that those leaks and subsequent repairs were not recorded or reported. Further, Flint Group personnel stated that only the leaks detected during required monitoring periods were recorded and reported.
33. After the April Inspection, EPA requested that Flint Group provide a copy of its Notification of Compliance for NESHAP HHHHH (Initial Notification).
34. Flint Group provided a copy of the Initial Notification by email on July 17, 2018.
35. The Initial Notification provides process flow diagrams that appear to show all equipment at the Facility. However, the process flow diagrams do not identify which components of

45. VOCs contribute to ozone formation which can result in adverse effects to human health and vegetation. Ozone can penetrate different regions of the respiratory tract and can be absorbed through the respiratory system.
46. HAP emissions can lead to adverse health effects including cancer, respiratory irritation, and damage to the nervous system.

Date 9/17/18



Edward Nam
Director
Air and Radiation Division

CERTIFICATE OF MAILING

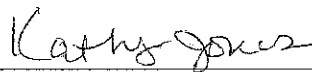
I certify that I sent a Finding of Violation, No. EPA-5-18-IN-05, by Certified Mail, Return Receipt Requested, to:

Ken Blackford, Senior Operations Manager
Flint Group North America Corporations
3025 Old West 30
Warsaw, Indiana 46580

I also certify that I sent copies of the Finding of Violation by first-class mail to:

Phil Perry, Chief
Air Compliance Branch
Office of Air Quality
Indiana Department of Environmental Management
PPERRY@idem.IN.gov

On the 27th day of September 2018



Kathy Jones
Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7017 0530 0000 6288 1870